

HARVARD LAW RECORD

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TWENTY CENTS

Polaroid Policy Discussed

By Lavell L. Jackson

The Harvard Law School International Law Club hosted a panel discussion on the issue of U.S. investment in South Africa Thursday, February 25 in the Pound Building. Thomas Wyman, a vice president of the Polaroid Corporation, was the featured guest.

At Polaroid's insistence, the discussion was hemmed by re-

South African lawyer currently in the S.J.D. program at the Law School; Ali Adeniji, ambassador from Nigeria; and moderator Edouard Bastin, an associate professor at the Africa Studies Center of Boston University.

Professor Bastin set the tone of the panel discussion by outlining a table of facts underlying the South African controversy. First noting that U. S. investment in South Africa is no novelty, he cited figures reflecting a total U. S. investment there of at least \$810 million, which, he speculated, probably fell short of actuality.

Bastin was careful to qualify his facts by contending that "the

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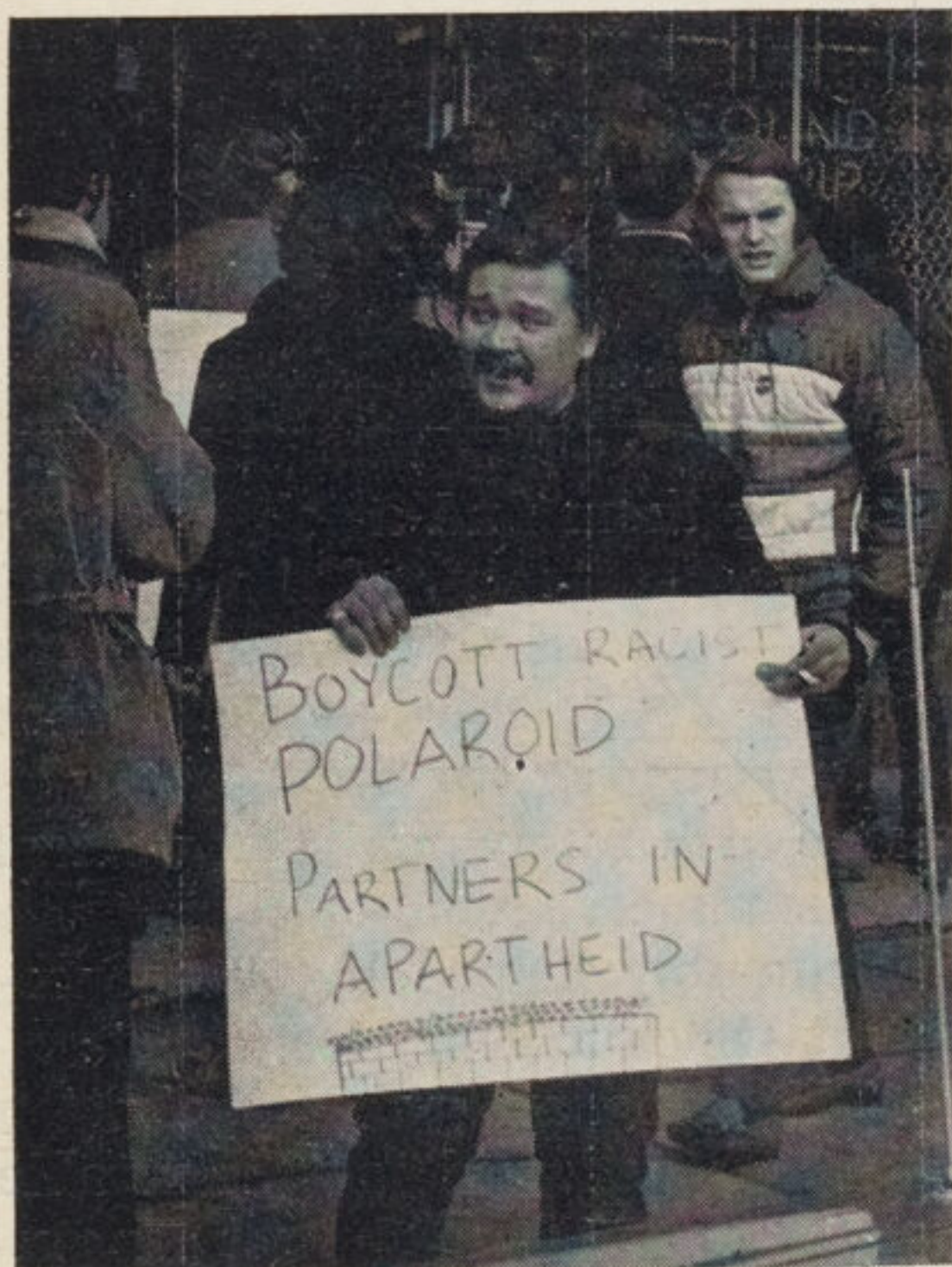
Placement States Jobs Normal, Interviews Up

By Jerry Snow

With recessive economic conditions in the country and rumors of a less than expansive job market in the legal profession, the Harvard Law School Placement Office announces it has done a booming business this year.

The Placement Office reports that well over half of both classes have accepted either a summer clerkship or offer of permanent employment, which is about normal for this point in the year. (See Table A.) The figures are probably higher, since many students neglect to inform the Place-

(Continued on Page 2)



Michael Poppone

Picketeer protests investment by Polaroid Corporation in S. Africa.

strictions on advance publicity and attendance, admittance being limited to members of the Harvard community only, in order to avoid the recurrence of demonstrations that took place last year when Polaroid put in an appearance at Harvard. Nevertheless, a few outsiders were able to make their way past door marshals.

Joining Wyman on the panel were Andrew Lukele, a black

Stanford Picks New Dean

Thomas Ehrlich, 36-year-old Stanford University professor of law, has been named dean of the Stanford Law School following a four-month search conducted by a faculty-student selection committee for a successor to Dean Bayless Manning.

Ehrlich will assume the deanship next September. According to the *Stanford Law School Journal*, his name was one of three submitted to Stanford President Richard Lyman in December after the eight-member selection committee consulted with faculty, students, alumni and others.

The other two candidates recommended to Lyman were reported to be Albert M. Sacks, acting dean of Harvard Law School, and Sanford Kadish, professor of

law at Boalt Hall, University of California, Berkeley.

Three candidates were suggested to Lyman in order to allow him flexibility in his choice. He had the option of asking the faculty-student committee to make one final recommendation, but instead made the selection himself.

An expert on current developments in legal education and in international law, Ehrlich received his LL.B. *magna cum laude* in 1959 from Harvard Law School where he was article editor of the *Law Review*. After clerking for Judge Learned Hand, he spent two years in private practice in Milwaukee, Wisconsin, and later served with the

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Number of Interviews Increased,

(Continued from Page 1)

ment Office of their employment plans.

"Job offers may have come out later than usual this year," admitted Miss Eleanor R. Appel, Placement Office director, "and for the first time in a long time the employer thought he was in control of the situation. But there have been no fewer jobs available."

The Placement Office invited 678 firms and organizations to interview at the Law School this fall. Of this number, 551 actually came.

A total of 18,864 interviews were recorded as having taken place by December 18, 1970, over 4,000 more than last year. Nine hundred eighteen students took part in these interviews, averaging twenty interviews each. The median, not yet ascertained, is likely to fall somewhat below that number, as some students interviewed over 50 and 60 firms.

Second-year students registered with the Placement Office as among those still job-hunting only had an average of 18 interviews — a statistic of dubious significance. Miss Appel's office also reports that the average length of time between the date of an interview and the date of the first offer made by firms who

interviewed 2Ls in October was four weeks and three days.

Table B reveals that law firms still gather in the great majority of Harvard Law School students. Over 95% of 2Ls and 61% of 3Ls accepting offers have jobs with a firm. The only other category of any size is that of judi-

tled earlier than other types of employment.

Most students reported that they obtained their job through the Placement Office, but this was more common of 2Ls than of 3Ls. Some 210 second-year students — out of 315 with jobs — cited the role of the Placement Office in

Table A. 2L and 3L Employment Status

	2L	3L
Size of class	599	530
Registered with the Placement Office	552	481
Those actually interviewing	511	407
Students known to have accepted jobs	315	281
Registered with the Placement Office as still looking	71	74
Employment status unknown	213	175

cial clerkships in the third year, accounting for almost 25% of this year's graduating class. However, this statistic will shrink, approaching a figure closer to 15% as the year goes on, since most judicial clerkships are set-

helping them find a job, whereas only 143 members of the class of 1971 — out of 281 with jobs — did so. Yet 74 third-year students are returning to work for the same firm for which they worked last summer. Some of these were presumably helped by the Placement Office a year ago.

The geographical distribution of jobs followed a predictable pattern, with the heaviest concentrations in New York, Massachusetts, Washington, D.C., and Cali-

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Volume of Job Offers "Normal"

fornia. Over a hundred members of each class returned to a job in their home state.

Law firm salaries followed the same pattern. The highest starting salary so far reported is the New York rate of \$16,000, and the lowest is \$11,500 in Provi-

those without jobs. The questionnaire results indicate, as one might have been led to suspect, that grade disclosure was a more popular option among those students receiving jobs than among those not yet placed for the summer. Almost a third of those re-

dictated that grades were not revealed, 27 indicated a mix, 5 did not recall and 16 would not say.

The results of the interviewing firm questionnaire brought to light the fact that one hundred forty students received one offer, forty-eight students received two offers, twelve received three offers, seven received four offers, and two received five offers. In fact, clerking for two firms seems to be a growing practice. This summer six 2Ls will be dividing their vacations and clerking for two firms.

The 2L questionnaire also served to inform the Placement Office of student opinion of its services. While most returning the questionnaire chose not to comment at all, those that did ranged the spectrum from lavish praise to a suggestion to abolish the Placement Office. On the whole, the comments were rather favorable, which pleased Miss Appel, who observed, "This is strange since it's much easier to criticize than praise." At least 70 people in both the second- and third-year class think enough of the Placement Office to continue to count on it for some help in finding a job come June.

Table B. Job Category Distribution

By percentage	2L*	3L
Law firm	95.7	61.4
Judicial clerkship	—	23.5
Federal government	1.7	7.0
State/local government	1.4	2.6
Corporate legal department	2.0	1.5
Legal services	0.7	0.7
Other	0.7	3.3

*6 2Ls accepted two jobs

dence, Rhode Island. Similarly, the highest 2L summer salary is \$300/week in New York — although "Anchorage, Alaska: \$200 + travel" sounds like it has possibilities — and the lowest is \$175 in Denver.

The results of the 2L placement questionnaire are compiled in Table C and broken down into categories of those with jobs and

plying to the questionnaire felt confident enough about their grades to disclose them on their résumé. Another 67 disclosed them selectively in the interview.

The Placement Office also sent interviewing firms a questionnaire as to whether 2Ls to whom offers were made disclosed their grades. Some 47 firms indicated that grades were revealed, 39 in-

Table C. Results of 2L Placement Questionnaire

	2Ls with Jobs	2Ls without Jobs	Totals
1. No grade disclosure	58	22	80
2. Grade disclosure:			
to all employers	99	7	
to some employers	65	13	
total	164	20	184
Means of disclosure:			
résumé	95	6	
interview	67	9	
3. Pass-fail disclosure	8	3	11
4. Not answering	10	34	44
Total responding	240	79	319

Stanford Law Names Ehrlich Dean

(Continued from Page 1)

U. S. Department of State. He joined the Stanford faculty in 1965.

Ehrlich is recognized for his efforts to effect innovative educational reforms, including changes in course requirements, expansion of post-graduate work, an externship option and joint-degree programs at Stanford. He co-authored "The Changing Structure of Education at Stanford Law School" for the *Journal of Legal Education* with Stanford Assist-

ant Dean Thomas E. Headrick. This article examines changes resulting from a 1968-69 study of the Stanford curriculum including enrollment spread from two to five years and variations in types of degrees and programs offered.

Members of the dean selection committee were Associate Provost Robert Rosenzweig; Professors Anthony Amsterdam, John Barton, Gerald Gunther, Charles Meyers and J. H. Merryman; and students, Jack Charney and Calvin P. Johnson.

Open Deanship Meeting Tonight

The search for a new dean is expected to make headway tonight as the Law School Committee on Governance holds an open meeting to discuss the selection in the context of "The Future of Legal Education at Harvard." The meeting is scheduled to begin at 8 p.m. in the Ames Courtroom.

Chaired by Joseph D. Gebhardt, 3L, who represents the Law School in the University Committee on Governance, the panel will include Professors Clark Byse and Charles Fried and students Marc J. Sonnenfeld, 3L, Richard D. Klein, 2L, and Ronald Simon, 1L.

Following brief introductory remarks by the panelists, the

meeting will focus on questions and comments from the floor.

Earlier luncheon meetings to discuss the deanship have met with only limited success, as they were attended by only approximately 75 students. The Committee hopes that the larger forum will provide an opportunity for all groups and individuals to make their feelings known.

The meeting was scheduled at the urging of many students who felt that an open meeting was the only means in which they could effectively convey their views on the selection process.

Super-

By Kermit Kubitz

Joseph Hinsey and Keith Thompson, members of the New York firm of White & Case, described the work of the lawyer with an MBA at the Business School February 24. Their presentation was oriented toward the practice of corporate law, but questioners explored the whole range of opportunities open to the JD-MBA.

At White & Case, and about 50% of other firms, the joint degree graduate is paid as if he had clerked for a year, but uniformly, his duties will not be different from other new associates. In the words of Mr. Hinsey answering a question, "The MBA will not exempt you from flying those papers to the SEC in Washington."

Mrs. Randall Lewis, 3L, agrees, "The joint degree is an undifferentiated value. You can't tell if you're better than the man next to you because he wasn't in the program." The consensus seems to be that the degree has its value in understanding businessmen's problems and earning their respect in spite of a difference in age.

However, there is no agreement as to the objectives of the program in terms of the careers of its graduates. The sponsors saw it as giving a very specialized type of education in the direction of finance and international business.

The business school faculty member who moderated last week's program said, "Those who

Congressman Donald W. Riegle, Jr.

(Republican, Michigan)

A Fellow of the Institute of Politics during part of this spring term, Congressman Riegle will be holding two discussion sessions open to all interested students. He welcomes any and all questions.

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Lawyers? What Can't MBA Do?

designed the joint program did not see that this program made sense for those who wanted to get into management positions directly."

A sampling of persons in the program indicates that corporate law is also not the primary emphasis. A better understanding of general law practice, concentration in investment banking, work in international relations and government administration were mentioned as possible objectives by students.

In order to take advantage of a legal education, Hinsey and Thompson felt that the internship that a new associate undergoes was very valuable. "Until you practice law, you don't know the law. It's like watching Perry Mason," Hinsey said.

One possible direction for the MBA is management of law firms as they grow from 100 to 200 lawyers and above. Hinsey compared the large law firm to a medical center with its interns, specialists and business operations.

The joint program offers a unique opportunity to compare two of Harvard's best known graduate schools. Most students agreed that the Business School has a more practical approach, entirely different from the Law School.

It seemed that going to the Business School first was best for two reasons. After completion of a year at the Business School, the next three years will be with the same class at the Law School, as opposed to losing contact with classmates at both schools. It was also considered difficult to make the transition from the relative freedom of the Law School to the day to day deadlines across the river.

"Law School is much more a continuation of the undergraduate, academic method. There is more freedom to put work off until the end of the year. The class at the Business School is much older, and only 11% are straight from undergrad school," said

Clark McFadden, a 2L in his third year of the program.

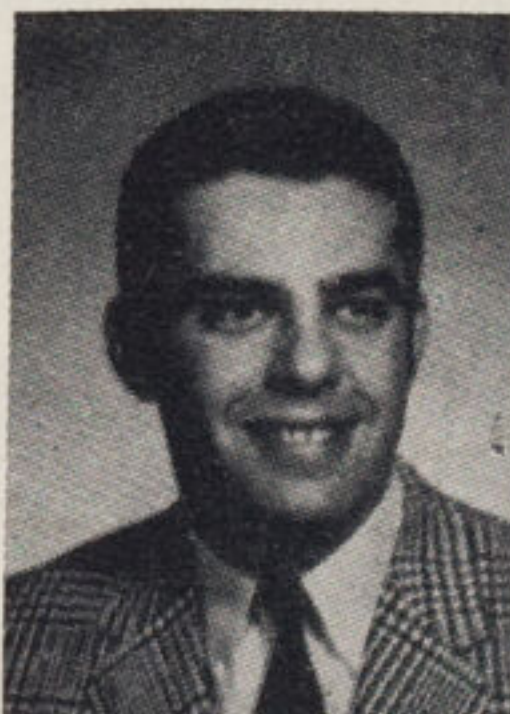
The Harvard program charges five years' tuition — full Law School tuition in addition to one-half Business School tuition the last two years — and is the only joint program in the country to do so. Other joint programs at Harvard charge the tuition of the school currently attended. This has been the subject of luncheon discussions among first-year students in the program, especially in view of the rise of Business

stockholders. A discussion at the Law School would reach an entirely different conclusion."

Rudolph Elrick, 1L, described the program's value as, "... understanding certain working relationships between people, what areas you should be looking at if you have problems. ... Right now I don't see the program as really shaped to the needs of the students. Maybe in a few years when combined courses are worked out, it will be better."

Currently the program is bet-

Business School Names Three Law Students as Baker Scholars



Mitchell H. Saranow (upper left), Patricia G. Lewis (above) and Bruce J. Wasserstein (left) were recently named Baker Scholars.

Patricia Gimbel Lewis, Mitchell H. Saranow and Bruce J. Wasserstein, all 3Ls and participants in the JD-MBA joint degree program of the Law and Business Schools, are among the Baker Scholars named by the Business School this year.

The designation as a Baker Scholar signifies that the student ranks among the top five per cent of second-year level Business School students. It is the highest scholastic honor given to Harvard Business School students prior to graduation. The three joint program designees are completing their degree programs this June.

School tuition to \$3400 a year, with further increases expected.

Admission to the joint program is subsequent to admission to each school. There are limitations on the number admitted to the program, according to one student, "because the Business School doesn't want a lot of lawyers coming over and taking over the school."

Another joint degree candidate distinguished the students at each school: "Businessmen are not altruistic. If there's a law against polluting, all right. But they can't give away the money of their

ter described as concurrent than joint. During the discussion at the Business School last Wednesday, it was suggested that a truly joint program could be worked out on the basis of courses such as Professor David R. Herwitz' *Business Planning*. The conclusion seems to be that the JD-MBA program is valuable, but not in terms of producing super-lawyers or businessmen who won't need to consult attorneys. It is directed primarily toward the practice of law, but the uses to which it will be put depend on the individuals in the program.

Polaroid . . .

(Continued from Page 1)

U. S.-maintained business policy does not imply or entail that the U. S. condones the political policy of the South African government, neither does she wish to encourage the perpetuation of such system."

Following Professor Bastin's commentary, Wyman proceeded to delineate the circumstances which gave rise to Polaroid's role as the "whipping boy" among U. S. companies investing in South Africa. Briefly mentioning the black employee strike and the general black boycott of all Polaroid products, he focused more specifically on Polaroid's public position, past and present, on the South African question.

"We, Polaroid, are clearly embarrassed that a clearer policy had not been formulated. This left us off balance to answer questions," Wyman stated.

When pressure mounted from within and without and when representatives of both black and white employees began to make demands on the company, Pola-

Apartheid Enslaves South African Blacks

roid solicited the advice of South African experts only to find it increasingly difficult to come to a decision as to the correct posture the company should assume, he said.

"We decided to send a mixed group of four, composed of two Blacks and two Whites, to get a first hand look at the problem. I can and must truthfully state our observation of the situation there was far worse than we believed

before we left," Wyman candidly admitted.

The trip to South Africa in which Wyman was a participant, led to a recommendation to decrease sales to the South African government by 15 per cent and to an attempt to support an educational program for the advancement of black scholarship.

Having viewed the South African dilemma first hand, Wyman concluded on a pessimistic note: "We at Polaroid wonder if we can really have a beneficial effect or if the enormity of the problem is like teaspoonsing the ocean."

Following Wyman, Lukele, a black South African who had to flee the country because of his political views, spoke emotionally at times, moving his audience with him as he ran up scores of facts about the plight of the black South African.

"The atmosphere in South Africa today is that of enslavement for black people. A black person in South Africa is cast out into very dry, arid land, and the death toll strikes heavily on the people," said Lukele.

"Black labor is harnessed for the perpetuation and enhancement of a system premised on the ideology of keeping the black man in a decadent position in the country that he gave birth to." Lukele emphasized, "All black people in the city must carry cards of identification taken by Polaroid cameras that must be presented on demand by any South African."

Lukele termed the Polaroid experiment "counterproductive." He openly accused Polaroid of "deliberately ignoring the reality of the South African dilemma. . . . Although Polaroid has contended that its position is not pro-South
(Continued on Page 15)

Our Man at

By Bob Junghans

There is a story circulating to the effect that when Columbia Law School Professor E. Allan Farnsworth agreed to come to Harvard as a visiting professor of law for 1970-71 there was a rush on the registrar's office at Columbia as students sought to get into

Old-Style Discipline Needed in Contracts

the *Commercial Transactions* class which he normally would have taught this year.

This yarn supposedly demonstrates that Professor Farnsworth is "tough" in the classroom. But he denies the allegation.

"I don't think the reputation is justified," he related recently from behind his desk on the fourth floor of the Faculty Office Building. "It's just that in the fields in which I work intellectual discipline is a necessity, and I'm old fashioned enough to think that discipline is a hallmark of a good lawyer."

It's difficult to find fault with that philosophy, especially in the area of *Contracts* and *Commercial Transactions*, the two courses Farnsworth is teaching at HLS during his one-year absence from New York City.

While these fields may be enough to keep most men fully occupied—he has co-authored books in both subjects—Farnsworth's interests have branched out considerably. He also teaches a Columbia course in *Metropolitan Problems*, much like the *Local Government Law* course taught here by Professor Frank I. Michelman.

But his major departure from the contractual field stems from his abiding interest in foreign lawyers and foreign law as related to the American legal system. A

UNCITRAL: E. Allan Farnsworth

book with the imposing title of *An Introduction to the Legal System of the United States* attests to his interest. It is designed to acquaint foreign lawyers with American law and has been published in Turkish, Arabic and Portuguese as well as English. In fact, the first edition of the book was in Turkish — and thereby hangs a tale.

Ten years ago while visiting in Istanbul, Farnsworth was pressed into duty for a dozen lectures on comparative law at the University of Istanbul while the regular professor advised the government during the trial of former Turkish officials. From these lectures came the book.

The holder of degrees from the University of Michigan and Yale (masters in physics) as well as from Columbia Law School, Farnsworth has also taught in Dakar, Senegal, Amsterdam, Leiden and Salzburg. From 1965 through 1967 he directed the summer orientation programs in American Law for foreign lawyers, then held at Princeton.

The culmination of Farnsworth's international interest came when he was appointed the United States' representative to the United Nations Commission on International Trade Law (UNCITRAL), a three-year-old organization which is seeking to facilitate trade through unification of law and practice.

"UNCITRAL works in the

UNCITRAL To Unify Trade Law & Practice

areas of sales, payments, arbitration and shipping," Farnsworth explained. "There are 28 countries represented, including the Soviet Union, three other Eastern European countries and many developing nations. I get a great deal of satisfaction from working on a professional level with peo-

ple with such varying backgrounds."

The UNCITRAL assignment took Farnsworth away from Cambridge for two weeks last semester when the organization's sales committee met in Geneva. He will return to the Swiss city for a week this spring for the general meeting of the UN commission.

Farnsworth, whose wife Patricia is a physiologist on the Barnard College faculty and a lecturer in bio-physics at the Harvard Medical School this year, sees the relief from routine administrative work as one of the



Charles Soberman

Professor E. Allan Farnsworth

big plusses of teaching at Harvard this year.

"With no committee work it's just wonderful," he said. "Regular faculty have an enormous burden that students sometimes don't realize. This year I have more time for students, and we talk about the law rather than the law school which is usually the case in committees. It's something of a vacation for me."

The Providence, R.I., native, whose father is professor *emeritus* in physics at Brown, is also using the year to revise his contract law book, "to the annoyance

of my students who have to read the cases arranged in a revised order," he said.

When asked to compare Columbia and Harvard, he replied, "I think that in recent years there has been more difference in students from one year to another in

Students and Faculty Meet at Squash

the same institution then between one good institution and another. But I do enjoy the bigness of this school. You have roughly twice as many people in a field as does Columbia and I've enjoyed an opportunity to be with some of the superb people on this faculty that work in fields related to my own."

Farnsworth keeps in trim by playing squash — he sees Hemenway Gym as a great asset, both as a physical outlet and for the opportunity it provides for the mingling of faculty and students — and tennis. The Farnsworths and three of their four children — the fourth and oldest, 15-year-old Jeanne, is at home in Englewood, N.J., with friends — live on the grounds of the Episcopal Theological School.

"After living in the metropolitan New York area, Cambridge life seems relatively relaxed," he noted. "But living near Harvard Square is like living on the periphery of a circus."

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'Cliffe Conference Warns Future

By Carol Plumb

A somewhat qualified invitation to women students to enter the legal profession was extended by the male speakers at the Radcliffe Conference on Law as a Career February 27 in Currier House lounge. The female participants, while all relating at least one personal experience of sex discrimination in their law life, nevertheless enthusiastically extolled their chosen profession to potential Portias.

PLAP Head Warns: Blondes Have Less Fun

Derek Curtis Bok, who recently left the deanship of the Law School for a *Rather Important Position* elsewhere at Harvard, was the keynote speaker. Some avid feminists attending the meeting felt that Derek the Dashing had suffered a slight attack of foot-in-mouth disease with his statement that women are "fortunate" in not having to concentrate heavily on careers, but can pursue many interests as avocations. Others felt the remark was a sincere and perhaps wistful reflection based on the heavy burden of work-related duties Bok himself has recently assumed.

In any case, Bok welcomed women to the legal profession. He had previously told a reporter that while he favors encouraging increased numbers of women and minority groups to enter law, he feels speakers at career clinics of this type tend to oversell their profession so as to lure the unwary, the overly optimistic and the unqualified into applying.

Hewing to a realistic approach, Bok noted that there were certain areas of the law where women were "disadvantaged persons," mentioning his own field of labor law and tenured positions on law

faculties as examples of male preserves.

John Philip Dawson, Charles Stebbins Fairchild Professor of Law, drew warm applause from the largely female audience with his liberated male statement that "a woman's fulfillment of her talents greatly adds to a successful marriage." He also stated that it was unfortunate that so many better qualified persons were turned away by law schools because they were females.

A well-rounded view of the legal profession was provided by the choice of speakers. The pros and cons for women attorneys in large law firms, small firms, legal services, law teaching and criminal law were presented by representatives of these fields.

Edward A. Benjamin '61, a partner in Ropes & Gray, argued the case for the large firm. There has been a syndrome of success for women in recent years, he believes. "The increased number of women in law school has given them added self-confidence so that they now interview in a much better way than their predecessors. Just a few years ago, when I began interviewing, female students were coy and submissive. Their more forceful presentations now are having an inevitable effect upon the firms.

"The last two or three years have been quietly revolutionary. More issues have been faced up to, more traditional barriers broken down as the firms realize their survival depends on attracting the best qualified young people. Firms must generate ideas for clients in order to continue their success." (Mr. Benjamin's speech had been monitored for traces of male chauvinism and approved by Mrs. Benjamin, who is the president of the Boston Chapter of the National Organization for Women.)

Natalie Choate Birnbaum '71 stressed four factors which she believed most significant to her

satisfaction with work for a smaller law firm: the variety of work, the instant responsibility given a young attorney, intellectual stimulation of working out legal problems and independence — "the wide variety of clients means that the lawyer in a small firm is essentially his own boss."

Examples of male disparagement of women's legal competence were related by every one of the female speakers. Most of them seemed humorous in retrospect, but the anecdotes were plentiful enough to show that Jane Crowism is by no means dead in the legal profession.

Gail G. Miller, 2L, is the head of the Law School's Prison Legal Assistance organization, but when she asked a male attorney about the chances for a woman lawyer in criminal law, the answer was, "If you're a petite girl, no! Blondes are at a distinct disadvantage and a female's voice can't be too high."

During one interview in her law student days at the University of Pennsylvania, said Linda Champ-
lin, a current HLS Teaching Fellow, an attorney told her she would not be suitable for his firm because "most of our clients are longshoremen and a woman couldn't handle them." Linda was annoyed enough to retort, "Oh, do you engage them in physical combat?" and got herself report-

Physical Combat With Longshoremen?

ed to the Dean's Office by the interviewer for "sassy remarks."

Geraldine Reed, 3L, mentioned feeling "terribly uncomfortable" when she first entered Harvard Law School in the fall of 1968 as one of 11 women in her section. It was December before any of the women were called on in class and even after that there were male students who "sometimes

Portias About Women in Law

hissed when women spoke in class.

"Of course," Miss Reed observed sweetly, "that just showed *their* immaturity." She now feels a full participant in her class and confidently looks forward to invading another male stronghold next year when she will be enrolled in Business School.

"One slight example of what

female attorney's favor. "They underrate you so lots of times you catch them unprepared because they don't believe you can do anything." Her work for CLAO has convinced her that legal problems presented in legal service agencies focus attention on women's issues.

"You get involved intimately with clients working on human

Debbie pronounced herself extremely gratified with the talents of all the speakers and sorry that the turnout to hear such a talented group was small.

The interest of the students who had braved the cold rainy Saturday morning weather to attend was so high that the meeting was extended for thirty-five minutes in order to accommodate all their questions. Many of the Radcliffe girls concurred afterwards that the thing that impressed them most was seeing so many competent women as role models.

Queries ranged from pragmatic questions about choice of courses at law school, to a young feminist's "Why was nothing said about women as judges?"

The conference participants all offered varying suggestions to the inquiry as to the best preparation in undergraduate college for law school. Ronald Brown, 3L, pre-legal advisor to Currier House, urged students to "do as much writing as possible. It's indispensable in answering law exam questions." Other panelists opted for history, government, sociology.

Cynthia Mollenkopf, 2L, president of the Women Law Students Group, advised, "Do whatever you like—when you get to law school, they're going to reshape your mind anyway. Get a firm set of values so you can resist!"

Some girls expressed concern about the feasibility of pursuing a legal career and coping with the demands of a family. "There are obvious strains," stated Linda Champlin, but it can be done. First, make up your mind you want to do this; second, be firm; and then make arrangements in such a way as to carry out your plans.

"It's important," added Natalie C. Birnbaum, "to find a husband who wants to be married to a lawyer; not every man does."

"Neither does every woman," came a low grumble from the audience.



Charles Soberman

Derek Bok sits with future Portias and one Penelope at Radcliffe law conference.

you might run into," Deborah A. Batts, 2L, warned her young female listeners, "occurred last summer while I was working for a Boston law firm. I had to drive to Concord Reformatory to interview an inmate." Although she had called to let them know a lawyer was coming out to see him, on her arrival, a prison guard cast a cold fish eye on the attractive law student and smugly announced, "We know what you're trying to pull; you're his girlfriend!" He refused to admit her until a partner arrived from the law firm and "gave him a good talking to."

Another woman from the Class of 1970 confided that sometimes sex discrimination works in the

problems, she noted. "Divorces have previously been seen as simple money-making matters for lawyers. In Legal Services, women attorneys have a chance to effect much needed changes in custody problems, divorce laws and many other areas of importance to women."

The originators of the conference, which they firmly entitled The First Annual Radcliffe Conference, in expectations of instituting a yearly legal "pep rally" to encourage women to seriously consider legal careers, were Myra Karstadt, 2L, and Deborah A. Batts. For Debbie, it was an added service to the *alma mater* where she headed the Student Government in 1969.

The Nixon Court

The Warren Court is gone. Some of its greatest achievements now appear threatened with extinction. President Nixon promised to provide America with a strict-constructionist bench, but who could have imagined that men of judicial temperament would move so quickly and so forcefully to eradicate sound constitutional law in the name of strict constitutional law?

The pattern was established early with the elevation of Harry A. Blackmun to the nation's highest court last spring. But it was only this fall that the momentum with which the new Court would erode the spirit of the Warren decisions became apparent.

In November the Court undermined the effect of the *Jackson* decision by allowing state court plea-bargaining even though the defendant continued to deny guilt and openly declared that his only reason for pleading guilty was to avoid the threat of capital punishment. In December the Court ignored the rationale of *Douglas v. Alabama* and restricted the defendant's right to confrontation with adverse witnesses in state courts. In January, contradicting the spirit of *Camara* the Court refused to recognize the inherent danger to Fourth Amendment rights entailed in permitting welfare department visits to the home without clients' consent, in one of its most paternalistic opinions since the 1940's.

But the Nixon Court has apparently wearied of this slow erosion of the Warren decisions. Last week it struck major blows at two of the milestones of the Warren era, *Dumbrowski v. Pfister* and *Miranda*. The Nixon Court is striking at the heart of the Warren achievements.

For those of us inspired by the humanitarian outlook of the Warren Court, by its deep concern for human rights and human values, the present Court and its recent rulings seem almost unreal, a bad dream from which we must all wake up before too long.

But then again, maybe the radicals have one point. Perhaps in the context of today's political climate the truth is that the Warren Court was the dream, a dream too good to last.

R.L.H.

Statement

Editor's note: The following article is an edited version of a statement sent by Richard L. Brodsky and James V. Montgomery, 3Ls, to the Committee on Governance, President Nathan M. Pusey and President-elect Derek C. Bok and is printed here to broaden the discussion on the selection of a new dean.

The fundamental institutions of the law and legal education are undergoing scrutiny to the point of a crisis in confidence. The selection of a new dean for the Harvard Law School will be an indication of the direction the School hopes to take in legal education, and of the role it conceives for itself in the larger community.

The influence and leadership flowing from the Law School are felt in every court and legislature in the land. In times past the School has encouraged new methods and ideas, with the risks that attend such innovation, and its future depends upon its willingness to reaffirm that tradition.

Internal to the Law School, we must consider the wisdom of an expanded clinical educational option for students who so desire. This is a matter of educational technique, applicable to all areas of the curriculum. We do not, at this time, offer views as to the merits of this issue, but present it as one that must be understood and acted upon by the new dean.

There is even more widespread feeling that the curriculum is imbalanced away from the desire of many students to use the law as an instrument of social change. Those who wish to train themselves in the advocacy of poverty, consumer, environmental, sexual and racial legal rights allege that the option to do so is more apparent than real. With the recognition of such problems should come the recognition of the legal community's obligation to participate in their solution. The new dean should be sensitive to the possible inadequacies of the Law School curriculum in this area.

There is discontent with the evaluative techniques employed at the Law School. The merits of this problem are not germane to the issue of dean selection. But it is hoped that the new dean will, if necessary, show the tradition of leadership exhibited by Dean Langdell who revamped the techniques of legal education.

The broader question of the relation-

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on Dean Selection Opts For Outsider

ship of the Law School and the law to American society must be confronted. The preservation of justice and democracy urges a re-examination of the types of law and lawyers we wish to produce, and the responsibility of the legal community to society. In this area, the new dean must exhibit more than a sensitivity to the views of others. He must have demonstrated by concrete action that reflection alone will not suffice.

From this delineation of the problems facing Harvard Law School, and the model for the future it implies, may be extracted specific standards against which the new dean must be measured.

Foremost in this list of attributes is the ability to understand and work in the law—to demonstrate legal excellence both on the scholarly and practical levels. Also, the office of dean requires administrative skills. The new dean must understand the necessity of marshalling resources on behalf of legal education. Within the Harvard and legal communities, and in the form of government aid, he must be able to make his voice heard.

Thus it would be of great importance that the new dean be of independent repute and stature. The stature that comes from the office of dean itself is of course an aid, but one whose voice is known independent of bureaucratic power would have additional strength.

That the dean be of principle and conviction is obvious. The pressures, subtle and overt, that today are

Seek New Dean in Langdell Tradition

brought to bear on academic, legal and social institutions are acute. The new dean should be a public figure in the sense of leadership rather than fame, who will speak out in defense of novel or controversial issues when called upon.

Such characteristics would be necessary, but not sufficient to ensure that the new dean develop and encourage a rapport with students. There are persons of unquestioned ability and stature, fulfilling all other requirements who may not be able to understand and deal with the constantly changing perceptions and hopes of students. An

atmosphere of mutual confidence, even in times of disagreement, is absolutely essential. There are many errors and disagreements that the student community would gladly tolerate if there were a foundation of mutual respect upon which to operate.

Perhaps the most delicate of all qualities is what may be termed a sensitivity to change. We are in the midst of a period of flux and upheaval which should not be dismissed as revolutionary or generational. Many people are involved in the redress of serious wrongs of both ancient and modern vintage. The new dean must possess a demonstrated willingness to participate in a reasonable fashion, in the changes in progress.

The end result would be a man who could engender enthusiasm for the pursuit of law, and make of the Law School a community of diverse persons with a common interest. The new dean will not bring the millenium with him, but it is hoped that we choose one who knows in which direction it lies.

There remains one additional quality that we have left until last, as it is perhaps both of greatest importance and greatest controversy. In short, it would be well to consider choosing the new dean from outside the Harvard Law School community. That is not to say that there are no men within the School who fulfill the criteria mentioned above. Far from it. There exist men who could serve with distinction. But at this particular moment it appears to us that the right outsider would bring additional qualities and possess others to a more intense level.

In a large sense academicians have become insulated from the realities of life and law. Not unaware of them, but insulated from the everyday, personal effect of law on society. There is great value in this time of flux, in coming into contact with legal institutions in their real, rather than ideal condition. For the purposes of legal education, with the new interest in clinical, practical education, there is value in participation rather than observation.

A dean with practical legal experience may be able to understand not only the desire for change but the wisdom and importance of it. If that legal career includes experience with those groups active in social change, then a greater sensitivity to the rela-

tionship of the Law School to society may be had.

Hopefully, a person of such experience would be widely known and respected in the general community, making the dean an even more effective advocate of the needs and goals of legal education. Such stature would focus attention on the positive and negative sides of the law and provide the impetus for continued change.

There is no small value in choosing a person free of institutional bias, with-

Period of Upheaval Not Revolutionary

out the weight of past and present commitments and mistakes. Starting with no preconceptions, not known to advocate any position in the controversies existing within our community, the dean would be a more effective mediator and leader in the attempts to resolve them.

These virtues seem to us to present a compelling argument for the choice of an outsider who otherwise measures up to the standards applicable to members of the Harvard Law School community. These virtues supplement and complement those standards, providing an additional measure of excellence. Any compromise of the general standard for an outsider is unacceptable.

Finally we cannot overemphasize the importance of a selection process that will safeguard the interests of all members of the community, students included, and insure the selection of a person most suited to advance the well-being of the institution.

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Panther Counsel Hits American Justice Hard

Charles R. Garry, Bobby Seale's attorney and chief counsel to the Black Panther Party since 1967, spoke on the proposition that "there is no such thing as justice in America" February 26, in Lowell Lecture Hall.

Restrained by court order from speaking about the New Haven murder trial in which Seale is a defendant, Garry finds this proposition unequivocally true.

"American justice is justice by compromise," he said, adding later that "the United States is the most dangerous country in the world today. It is the most dangerous country the world has even seen."

The current notion of the courtroom being in a state of siege, where all visitors are frisked and courtroom guards abound, began with the trial of Panther Minister of Defense Huey P. Newton in April 1967. Garry indicated that Newton's trial resulted from the Oakland Police Department's practice of stopping "known Panther cars" for no apparent reason other than that they were on a checklist prepared by the Department.

Huey Newton was shot in the act of reading a Constitutional Law book to a policeman, said Garry. Newton languished in prison for thirty-four months before an appellate court, faced with so much reversible error that it was compelled to reverse Newton's manslaughter conviction, did so.

There is racism in all whites, Garry noted. "Objective" racism is easily discerned. But it is "subjective" racism — the unexpressed feelings which all whites harbor — which Garry tries especially to get at during *voir dire*. Subjective racism, Garry asserted, can be the most damaging to his client if, in the last analysis, the subjectively racist juror has not been able to discount his racist feelings against the black defendant.

Garry, a pioneer advocate of the concept of "diminished re-

sponsibility," was dressed rather conservatively in black suit and tie. Looking tired, he spoke in a soft voice for more than an hour to an audience of approximately 150, including many Harvard Law students. He was introduced by Richard D. Klein, a 2L associated with the *Outlaw* publication.

American Justice: Justice by Compromise

Garry remarked that people are so frightened today that they are willing to accept a police state as the price for security in their homes. He warned that the day of concentration camps in the United States is not far off.

But "stealing has more dignity than being on relief," and there can be no justice while people are starving and while others are on welfare, Garry emphasized. There can be no justice in the courts until there is social justice. And social justice, he said, "is what the Black Panther Party stands for."

There is now a Panther organization in San Quentin prison, Garry reported. However, prison authorities are very zealous in scrutinizing and overseeing the literature which prisoners are allowed to read. Garry cited Bobby Seale's own book, *Seize the Time*, as one that has been considered "dangerous."

Seale, he said, has been harassed by Connecticut correctional authorities in regard to his beard — very much the Panther chairman's trademark. The gravamen of the officials' complaint is their fear of Seale's beard as a potential haven for lice and crabs. Garry pointed out, however, for those in the audience in need of edification, that lice and crabs do not, in general, infest the face.

The harassment of Bobby Seale will continue, and must con-

tinue, because it is an inherent part of our system as presently constituted, Garry stated. Its reworking, he said, can only come with the adoption of Huey Newton's theory of "inter-communalism."

Yet "practice without theory isn't any good. Theory without practice isn't any good. They must go together. That's the only way to get any answers." Thus Garry exhorted his listeners to action.

Questions followed the talk. One member of the audience, looking strikingly like a scaled-down version of Ernest Hemingway, asked Garry about the future of humanity. Garry demurred, but when pressed responded that it lay with "inter-communalism."

Charles Garry began his talk saying, "all power to the people," and indicating that Bobby Seale sent his revolutionary love from New Haven. He ended the question period by commenting that "where law is tyranny, revolution is order."

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Multi-Media Effects Liven Annual Law School Musical

By Larry L. Pressler

The color, enthusiasm, spirit and lack of inhibition that can be witnessed at a Harvard Law School show rehearsal makes it difficult to believe it is happening at this usually staid institution.

This writer, accustomed to the traditional musical comedy routine of past shows, was pleasantly

The story of the show focuses on Everett Mann's (Greg Friedman, 2L) search for the answer to his constant question "What is the answer?" Mann's search takes him through a host of wild situations—from visits to the *Law Review*, a house of prostitution, a mixer, a Wall Street law firm, and even a wedding. His girlfriend, Jane (Barbara Nei-

"If you are of the Perry Mason mentality, you might think a law school would be a rich source of acting talent, but that's just not the case. Strangely enough, law students and faculty alike feel comfortable only when acting in their trained discipline. They appear to feel ridiculous when asked to toss respectability to the winds and play an overblown role," Sonenberg remarked.

He continued: "I guess the Law School process tends to inhibit, in that law students may feel they have too much to lose by exposing themselves on stage. Of course you find exceptions in, say, a Barry Chase ('70) or an A. J. Casner."

The cast and support group for the show number approximately twenty-five. They put in about twenty hours per week for the five weeks preceding the show.

Why do they do it? Sonenberg answers: "It's lighthearted, fun and adds an entirely new dimension to your existence at the Law School. Most of the law students know that they might not have another chance to act since as a practicing lawyer the demands on their time will be great."

In past years the show has gone to New York for one or two performances for alumni. This year a trip is impossible. According to Dave Ellis, the show's producer, "This type of show is too difficult to transport. We have constructed a special theater in the Pound building this year, and I doubt that we could find a similar set-up in New York."

Past playgoers will recognize George Selden '69 at the piano. Selden is directing the musical effort for the fourth straight year.

Preliminary ticket sales indicate a sell-out, and if so, the show may be presented an extra night, but current plans set performances for March 12, 13, 17, 18, 19 and 20. Tickets are on sale in Langdell, Harkness and at the Coop.

And what is the ultimate answer? It's . . . but wait! Sonenberg has given strict orders to keep that an absolute secret until showtime!



Charles Soberman

David A. Sonenberg, left, and dancers rehearse Law School Show scene.

jolted by the format and freshness of this year's show, *From Here To Perpetuity*. The show, which opens on March 12, reflects the impact *Hair* has had on contemporary theater.

Ellen Shaw, president of the Harvard Law Drama Society, says: "This year's show is much different. It is a multi-media musical with film, slides, piano, a banjo, flutes and electric guitars. The music varies from traditional ballads to rock and roll. The choral work is more intricate than before."

"The entire cast is on stage for the whole show—indeed it is a human set-on-stage. And for the first time, we are holding the performance in the multi-purpose room of Pound, where we have had to literally construct a theater."

man, wife of Kenneth P. Neiman 3L) follows Mann through his various adventures.

According to the show's director, David A. Sonenberg, 3L, who played the lead in the last two years' shows, this year's production is "not a star show. It is made up of a company who all stay on the stage constantly. However, the show is built around the activities of Everett Mann whose presence provides some unity for the action."

Sonenberg, who majored in drama and studied acting in England before coming to Harvard Law, talked almost philosophically about the role of a musical comedy at the Law School. He believes the show has a definite purpose. "I can't think of any other activity so un-law related," he emphasized.

Legal Legend Liebman Held Lemon By Spoor

By Willard Fraumann

The big news of the week is the newly acquired option held by the Seven Lemons and a Frankfurter. Final negotiations have just ended concerning the matter of Lance "Legal Legend" Liebman, recently of the Washington-based Whizzer's Wonders, and his questionable amateur status with

the Lemons. After submitting the issue to the Williston Board for consideration as a possible topic, Rich "Avery Brundage" Spoor has decided that in the interest of amateurism at the Law School, Liebman could compete, but that he would have to confine his moves to those of a third-grade Pete Maravich.

"A" League leaders last week were Rich Lyon of the Sunday Surprise and Jerry Lopez of the Mashuppee County Maulers, while, due to a fine team effort, the lead in the "B" League remained in the hands of the Condors. Gary Epstein of PLAP, and Ken Wing of Ralph-Ralph led their teams in the hotly-contested battle for the "C" League playoff spot.

A LEAGUE

Sunday Surprise	5-0
Mashuppee County Maulers	4-0
Easy Rider Orphan School	5-1
Cadillacs	3-1
Hot Shots	3-2
Roughage	3-3
Grovinators	3-3
Turkies	2-3
The Team	1-5
XLOTI	0-5
Juggernaut	0-6

B LEAGUE

Condors	5-0
Sky Kings	5-1
Jackson Five	4-1
Voluntary Defenders	4-1
Workers	3-2
Faunae Rerae Naturae	3-2
Crimson Swine	2-4
Abberations	2-4
Harvard Law Review	1-4
Dunkers	0-5
Oscar Greeners	0-5

C LEAGUE

PLAP	6-0
Ralph-Ralph	5-0
Harvard Legal Aid Bureau	3-1
Red Pigs	3-2
Seven Lemons and a Frankfurter	3-2
The Jug-offs	2-2
Class of 70	2-3
Charitable Deductions	2-3
The Law Review	1-4
Sneak Hawks	1-5
Globeplodders	0-4

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Polaroid African Policy Debated

(Continued from Page 6)

African government, its failure to take a firm stand against total investment in the South African economy is in the end a commission of affirmative support." He sat down to applause.

The final speaker of the evening was Ambassador Adeniji, who developed his remarks along lines similar to Lukele's. He directed the audience's attention to South Africa's territory of Namibia, which is in the shadow of apartheid.

Namibia is known for its rich diamond mines. Adeniji explained that the wealth and riches of the land have been systematically stolen from the native Namibians, stating that "in 1966 South Africa passed a resolution terminating any power that the Namibian people might have had to prevent the South African government from exploiting the diamonds of Namibia."

Challenging the policy of apartheid, Adeniji asserted, "If investment were to desist, the present structure would not survive very long. Investment in South Africa has been to expand its economy, which can only be counterproductive for black African people. Can anyone justify such a system?"

In the question and answer period following the panel presentation, after two or three initial questions directed at Wyman, a member of the audience rose to make a prolonged denunciation of Wyman's earlier remarks. The speaker, later identified as Cris Nteta, consultant to the Polaroid Demands Committee, challenged Polaroid's efforts to improve its present public posture in the black community.

After Nteta had finished, Michael Graves, 2L, asked Wyman whether Polaroid would collect all their cards back from the black people taken by Polaroid cameras.

Bob Burford, 2L, questioned the validity of Polaroid's experiment and inquired what was to follow at the conclusion of its one-year duration. Wyman admitted that Polaroid's contribution toward a solution to the problem was to be shortlived.

This answer provoked the rage of Pernila J. Stimley, 3L, who asked what Polaroid's total investment in South Africa amounted to. Told a million-and-a-half dollars, Miss Stimley then charged Polaroid with false intentions in failing to withdraw all investment from South Africa if only a million and a half dollars was all that was keeping a corporation like Polaroid from what it contended to be a moral obligation.

Letters

Fortunate Alumnus Enjoys Good News

To the Editor:

My compliments to you on your new format and your general content.

I am glad to see that you can find something of a complimentary and constructive nature to report about the Harvard Law School and its faculty.

I might add that when I went to Harvard Law School, I considered myself fortunate to be there, eager to secure the knowledge imparted and to be gained and had full faith in the ability of the Dean and Faculty Administration to run the School. Many of us had to supplement our finances by outside work and we had no grants, were too busy or would never consider trying to become involved in the Administration of the School.

J. Alex Lane '29

Editor's Note: The RECORD welcomes letters from its readers. However, the staff reserves the right to edit lengthy correspondence. All letters must be signed, but names will be withheld at the request of the writer.

Law Notes

On Friday, March 12, at 8:30 p.m. in the Lowell Lecture Hall, the Forum will present sportswriter Howard Cosell, New York Yankees President Michael Burke, and a leading sports personality, all of whom will analyze "The Role of Sports in American Life." Discussion will include analysis of a recent book on professional football by a former St. Louis Cardinal linebacker, and the recent grand jury investigation into alleged antitrust activity in pro sports.

* * *

The Committee for Legal Research on the Draft is seeking volunteers for the Portsmouth Prison Project, which will attempt to secure due process rights for individuals presently in military prisons because they cannot afford to pay an attorney. Law students will search trial records for error and help attorneys bring suit. No prior military law knowledge is required. Interested students should contact Bernard A. Nevas, 3L, at CLRD, Room 23, Langdell Hall.

* * *

The new officers of the Legal Aid Bureau are: Robert C. Lower, president; Michael Tracy, vice-president; Steven N. Farber, executive director; Peter D. Stergios, secretary; James C. Gray, treasurer; Jan B. Henson, research director; Noel R. Bartsch, associate director; Herbert L. Braverman, associate director, and Roger M. Whitten, associate director. All are 2Ls.

* * *

Edward F. Cox, 2L, is the new President of the Lincoln's Inn Society. Under new election procedures, eight others were also elected to the Board: Philip Lader, 3L; Paul P. Daley, Ira A. Finkelstein, and Melvyn H. Wald, all 2Ls; Elliott Abrams, Geoffrey M. Connor, Willard G. Fraumann and Michael P. Graham, all 1Ls. Members of the Board then elected Cox from their ranks. Elected to the Inn's social committee were David J. Bailey, G. Darrell Berglund, Thomas A. Johnson, Stuart W. Settle, Gordon H. Silver and Michael K. Wyatt, all 2Ls.

Students to Conduct Poll on Financial Aid Issues

By Bob Hernandez

In an effort to reduce student tension, produce an efficient allocation of increasingly scarce resources and encourage greater alumni support, student members of the Financial Aid Committee are distributing questionnaires to all students next Thursday.

The questionnaire was prepared to formulate recommendations to the full Financial Aid Committee on the subjects of "financial aid administration" and "alternative methods of financing a legal education," and "to examine the validity of the currently-assumed Law School student budget," according to its cover letter. The students who formulated the questions emphasize that they are undertaking the survey on their own initiative.

Several of the questions are directed to suspected abuse of the present system by students on financial aid. Others test the reliability of the applicant's own estimates of income sources and expenditures.

In the last two years, the official estimated budget has been increased \$200 plus tuition hikes to reflect rising living costs. The student committee hopes to test the accuracy of this estimate in relation to students' reported expenses.

The committee also launches several trial balloons in the questionnaire, including the proposal that classes pledge their entire donations to the Law School for financial aid purposes and the so-called "Yale Plan," under which an applicant could finance his law

school education by pledging a set percentage of his future income for a fixed period.

The student committee members expect to save at least \$250 by distributing the questionnaires directly to the students rather than mailing them.

Student members of the Financial Aid Committee are: Antonio Rossman, 3L, chairman; Thierry J. Liverman, 3L; Craig W. Friedrich, 2L; and Arthur F. Dicker, John J. Grimes, Robert S. Henry, Patricia D. Jacobs, Stephen A. Shakman, William J. Vesely, and Ronald N. Wilson, all 1Ls.

Questionnaires will be handed out at all RECORD distribution points next Thursday and may be returned to collection boxes at the same locations or to the receptionist in Langdell Hall.

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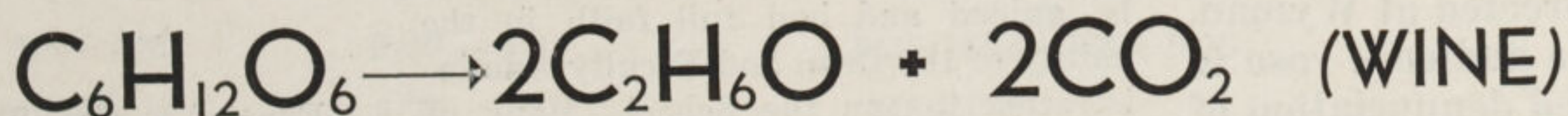
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